

UNITED STATES OF AMERICA)	
)	
v.)	
)	Case No. 09-CR-0152
JAMES ANDERSON,)	
)	
Defendants.)	
)	

1. On October 28, 2009, a federal grand jury sitting in Madison, Wisconsin, returned an indictment against defendant James Anderson. Count 1 charged possession of a Western Digital external hard drive, serial number WXEX0733260 containing visual depictions that were produced using materials which had previously been shipped in interstate and foreign commerce, specifically said Western Digital external hard drive, serial number WXEX0733260, and the production of such visual depictions involved the use of minors engaging in sexually explicit conduct, and the depictions are of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B). Count 2 of the indictment contained a forfeiture allegation for the forfeiture of a Western Digital external hard drive, serial number WXEX0733260, by virtue of the commission of the offense charged in Count 1, pursuant to Title 18, United States Code, Section 2253.

1. On October 28, 2009, a federal grand jury sitting in Madison, Wisconsin, returned an indictment against defendant James Anderson. Count 1 charged possession of a Western Digital external hard drive, serial number WXEX0733260 containing visual depictions that were produced using materials which had previously been shipped in interstate and foreign commerce, specifically said Western Digital external hard drive, serial number WXEX0733260, and the production of such visual depictions involved the use of minors engaging in sexually explicit conduct, and the depictions are of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B). Count 2 of the indictment contained a forfeiture allegation for the forfeiture of a Western Digital external hard drive, serial number WXEX0733260, by virtue of the commission of the offense charged in Count 1, pursuant to Title 18, United States Code, Section 2253.

2. On January 7, 2010, the defendant entered a plea of guilty to Count 1 of the indictment, pursuant to a written plea agreement. The plea agreement provided that the defendant agree to the forfeiture of a Western Digital external hard drive, serial number WXEX0733260, as set forth in Count 2 of the indictment, and also a Western Digital External Hard Drive, serial number WXEX08P44442, and a IBM ThinkPad Laptop.

IT IS THEREFORE ORDERED:

1. That based upon James Anderson's guilty plea, and pursuant to Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853; and Rule 32.2 of the Federal Rules of Criminal Procedure, the defendant forfeits to the United States his right, title, and interest in the following:

- (a) Western Digital External Hard Drive, serial number WXEX0733260;
- (b) Western Digital External Hard Drive, serial number WXEX08P44442; and
- (c) IBM ThinkPad Laptop.

2. The United States Marshals Service is directed to seize and take custody of the above-referenced property.

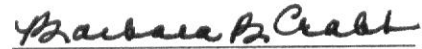
3. Pursuant to 21 U.S.C. § 853 (n), as incorporated by 18 U.S.C. § 2253(b), the United States shall publish notice of the order and of its intent to dispose of property in such a manner as the Attorney General may direct. Any other person, other than the defendant, having or claiming a legal interest in any of the forfeited property must file a petition with the Court within thirty days of final publication notice or receipt of actual notice, whichever is earlier.

a. The petition shall be for a hearing to adjudicate the validity of a petitioner's alleged interest in the forfeited asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited asset and any additional facts supporting the petitioner's claim and the relief sought.

b. The United States may also, to the extent practicable, provide direct written notice to any person who has an alleged interest in the forfeited asset, as a substitute for published notice.

4. Upon adjudication of any and all third party interests, this Court will enter a Final Order of Forfeiture, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

ORDERED this 24 day of February 2010.



BARBARA B. CRABB

Chief United States District Judge